

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
NO. 2:10-CR-54-1F

UNITED STATES OF AMERICA :
 :
 v. :
 :
SHIRLENE REESE BOONE :

PRELIMINARY ORDER OF FORFEITURE

In the Superseding Criminal Information in the above action, the United States sought forfeiture of property of the defendant pursuant to 18 U.S.C. § 982.

The defendant, Shirlene Reese Boone, pled guilty pursuant to a written plea agreement as to the three-count Superseding Criminal Information, specifically, 18 U.S.C. §§ 371 and 1028A, and 26 U.S.C. § 7202. She also agreed to forfeit her ownership interests in all assets which facilitated or which were acquired through her illegal activities, as well as all items seized during the investigation of the acts alleged in the Superseding Criminal Information.

The Government seeks the forfeiture of specific items realized during the investigation and which allegedly relate to the defendant's illegal activities, to wit:

- (1) \$49,754.98 seized from Mass Home Care Services Southern Bank Account No. *****7728.
- (2) \$1,988.60 seized from Metropolitan Counseling Services, Inc. RBC Bank Account No. *****5798.
- (3) \$240,000.00 in musical and electronic equipment located

at 114 Boone Street, Murfreesboro, NC, including but not limited to:

- Macintosh Desktop Computers
- Macintosh Displays
- Mackie Subwoofer
- Mackie Studio Reference Monitors
- Studio Microphones
- ProTools Software
- Studio Control Mixer
- Studio Furniture
- Software and plug-ins
- Ampex Tape Machines
- Stands
- Acoustic treatments
- Eden Bass Amp & Cabinet
- Patch bay / cables
- Vox Guitar Amp
- Stratocaster Guitar
- Acoustic Guitar.
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After an appropriate hearing as required by Fed. R. Crim. P. 32.2(b)(2), the Court specifically finds that, as the subject properties were instrumental to the criminal offense, the required nexus between the property to be forfeited and the criminal offense exists.

Accordingly, it is hereby **ORDERED, ADJUDGED AND DECREED** that:

1. Based upon the defendant's guilty plea and other information of record and presented by the Government, the subject real and personal properties are forfeited to the United States for disposition in accordance with the law.

2. That pursuant to 21 U.S.C. § 853(n), the United States shall publish notice of this Order and of its intent to dispose of the property in such manner as the Attorney General or the

Secretary of Treasury directs, by publishing and sending notice in the same manner as in civil forfeiture cases, as provided in Supplemental Rule G(4). Any person other than the defendant, having or claiming any legal interest in the subject property must file a petition with the Court within 30 days of the publication of notice or of receipt of actual notice, whichever is earlier.

The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and must include any additional facts supporting the petitioner's claim and the relief sought.

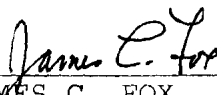
3. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853.

4. In addition, that upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Preliminary Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(3).

In accordance with Fed. R. Crim. P. 32.2(b)(3), this Order is now final as to the defendant.

SO ORDERED.

This 17th day of January, 2011.



JAMES C. FOX
Senior United States District Judge